

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Respondent,

No. CR S-04-0327 FCD GGH P

12 vs.

13 STEVEN MICHAEL KELLY,

14 Movant.

ORDER TO SHOW CAUSE

15 _____/
16 On December 4, 2008, respondent filed a motion to dismiss. On January 8, 2009,
17 the court granted movant a thirty day extension of time to file an opposition. Movant has not
18 filed an opposition to the motion. Local Rule 78-230(m) provides in part: "Failure of the
19 responding party to file written opposition or to file a statement of no opposition may be deemed
20 a waiver of any opposition to the granting of the motion" Good cause appearing, IT IS
21 HEREBY ORDERED that movant show cause, within twenty days, why respondent's December
22 4, 2008, motion to dismiss should not be granted.

23 DATED: March 30, 2009

/s/ Gregory G. Hollows

24 UNITED STATES MAGISTRATE JUDGE

25 GGH:035
kell0327.46
26